

Message Text

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ACTION DLOS-06

INFO OCT-01 ARA-16 ISO-00 CG-00 CIAE-00 DODE-00 PM-07 H-03

INR-10 L-03 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03

SS-20 USIA-15 CEQ-02 COA-02 COME-00 EB-11 EPA-04

IO-14 NSF-04 SCI-06 FEA-02 ACDA-19 AEC-11 AGR-20

DOTE-00 FMC-04 INT-08 JUSE-00 OMB-01 OIC-04 TRSE-00

DRC-01 /210 W

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R 192217Z APR 74

FM AMEMBASSY SANTO DOMINGO

TO SECSTATE WASHDC 0305

INFO AMEMBASSY GEORGETOWN

AMEMBASSY KINGSTON

AMEMBASSY PORT OF SPAIN

AMEMBASSY BRAZILIA

USUN NEW YORK 0259

C O N F I D E N T I A L SECSTION 1 OF 2 SANTO DOMINGO 1616

E.O. 11652: GDS

TAGS: PFOR, TD

SUBJECT: LOS CONSULTATIONS WITH TRINIDAD AND TOBAGO

1. SUMMARY. LOS TEAM MET WITH GOTTA OFFICIALS 16 APRIL.
DISCUSSIONS WERE FRANK AND USEFUL. ALTHOUGH GOTTA REVEALED
NO STARTLING CHANGES IN THEIR VIEWS, TEAM GAINED SOME INSIGHTS
CONCERNING THEIR PROBLEM AREAS. GOTTA APPEARS TO BE
SERIOUSLY STUDYING ITS LOS POSITIONS AND EXPRESSED A COMMITMENT
TO A SUCCESSFUL CONFERENCE. END SUMMARY.

2. LOS TEAM MET WITH GOTTA OFFICIALS IN MINEXAFF OFFICE. FOLLOWING PERSONS PRESENT FROM GOTTA:

MR. FRANK ABDULLAH - PERMANENT SECRETARY AND ACTING
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MINISTER OF EXTERNAL AFFAIRS.

MR. LENNOX BALLAH - MINEXAFF LEGAL ADVISOR AND CHAIRMAN
GOTT LOS COMMITTEE.

CDR MERVYN WILLIAMS - COMMANDANT OF CG, MEMBER OF LOS
COMMITTEE.

MISS CAMELA BHOOAI - LEGAL ADVISOR, MINISTRY OF
PETROLEUM AND MINES.

MRS. DESMOND WARNER - ASST. TO ATTORNEY GENERAL

MR. PHILLIP SEALEY - LEGAL OFFICER, MINEXAFF

MR. HUGH WOOD - FISHERIES OFFICER, MINISTRY OF INDUSTRY,
MEMBER OF LOS COMMITTEE.

3. GOTT OFFICIALS INITIALLY CAUTIOUS, BUT BECAME MORE EX-PANSIVE AS TALKS PROGRESSSED. FOLLOWING WERE GOTT COMMENTS
ON ISSUES DISCUSSED:

A. COASTAL STATE SEABED JURISDICTION: GOTT SUPPORTS SANTO DOMINGO DECLARATION AND OFFICIALS STATED "APPROACH AND FOCUS" OF OUR MUTUAL POSITIONS MAY BE DIFFERENT, BUT IN CONTENT FELT THEY WERE NOT VERY DIFFERENT. BALLAH, WHO ACTED AS SPOKESMAN FOR MOST OF MEETING, STATED BELIEF THAT THERE WOULD BE NO PROBLEM IN REACHING AGREEMENT ON THIS ISSUE. ON THE QUESTION OF BOUNDARIES, BALLAH REMARKED THAT GOTT HAD DETERMINED EXISTENCE OF GEOLOGICAL BOUNDARY BETWEEN TRINIDAD AND VENEZUELA WHICH OBLIVIATED NEED FOR RELIANCE ON MEDIAN LINES. NEVERTHELESS, THEIR EMPHASIS ON CONTINENTAL SHELF CONVENTION WAS EXPRESSLY AS RELATED TO LATERAL BOUNDARY PROBLEMS.

B. FISHERIES: IN FRANK EXCHANGE, GOTT STATED PRIME OBJECTIVE WAS TO RETAIN ACCESS TO SHRIMP RESOURCE OFF BRAZIL, AND SAID THEIR MAIN PROBLEM WITH OUR FISHERIES PROPOSAL IS LACK OF PROTECTION FOR THEIR SHRIMP INDUSTRY. THEY CHARACTERIZED THEMSELVES AS "THIRD IN LINE" BEHIND BRAZIL AND USA UNDER OUR ARTICLES, SINCE TRADITIONAL FISHING HAS

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PRIORITY OVER OTHER STATES IN THE REGION (US ARTICLE VB), AND THEY DO NOT BELIEVE THEY HAVE A TRADITIONAL FISHERY. IN THIS REGARD, THEY ARE LEANING STRONGLY TOWARD MATRIMONIAL SEA PRO-POSAL FORMULATED BY JAMAICA. THEY ARE OF OPINION THAT IN ORDER TO PROTECT THEIR SHRIMP AND SHARED COASTAL MACKERAL FISHERIES THEY WILL HAVE TO RELY ON REGIONAL ARRANGEMENTS. LATER DIS-CUSSIONS REVEALED THEIR SHRIMP FISHING AGREEMENT WITH BRAZIL, MODELED AFTER OUR OWN, EXPIRES IN JUNE 74 AND THE GOTT INTENDS

TO PROPOSE AN EXTENSION THROUGH THE COMING SEASON. GOTT FISH EXPERT WOOD, WHO WILL TRAVEL TO BRASILIA SOON TO ENGAGE IN DISCUSSIONS ON THIS ISSUE, STATED THAT EXTENSION WOULD BE NO PROBLEM SINCE BRAZIL IS NOT ANXIOUS TO NEGOTIATE NOW. ALSO OF INTEREST WAS FACT THAT GOTT INTENDS TO ATTEMPT NEGOTIATIONS ON FISHERY PROBLEMS WITH VENEZUELA PRIOR TO LOS CONFERENCE.

C. STRAITS: GOTT EXPRESSED SUPPORT FOR OBJECTIVIZED INNOCENT PASSAGE REGIME, BUT STATED THEIR POSITION AS ONE OF "WAIT AND SEE." THEY OBVIOUSLY UNDERSTAND IMPORTANCE OF THE ISSUE, AND ALTHOUGH NOT PERCEIVING A MAJOR SELF INTEREST, WERE ENCOURAGING IN THEIR REMARKS, AT ONE POINT SUGGESTING A "PASSAGE" REGIME WHICH WOULD NOT INCLUDE REFERENCE TO INNOCENCE. GOTT HAS DONE ITS HOMEWORK AND REALIZES IT HAS HIGH SEAS ROUTES THROUGH CARIBBEAN EVEN WITH 12 MILE TERRITORIAL SEAS.

D. POLLUTION: WHILE BEING IN FAVOR OF "REASONABLE" EXPANDED COASTAL STATE RIGHTS TO DEAL WITH POLLUTION PROBLEMS, GOTT FELT MANY OF THEIR CONCERNS COULD BE MET BY A MANDATORY INSURANCE SYSTEM TO PAY LIABILITY DAMAGES. POINT WAS ALSO BROUGHT OUT THAT TT ITSELF HAS BEEN SUBJECTED TO ABUSE FROM NORTHERN ISLAND NEIGHBORS DUE TO OIL POLLUTION CLAIMED TO BE EMANATING FROM TT OIL INDUSTRY ACTIVITIES. THEY ARE CONCERNED ABOUT THIS AND STATED THEY WILL IN ANY CASE PUSH FOR WORKABLE POLLUTION REGIME WITH HIGH STANDARDS.

E. MARINE SCIENTIFIC RESEARCH: TT'S REMARKS ON THIS SUBJECT WERE BOTH PREDICTABLY HARSH AND INTELLIGENTLY FORMULATED, DUE TO BALLAH'S INVOLVEMENT WITH ISSUE IN SB COMMITTEE. IT WAS INTERESTING TO NOTE THAT THEY HAVE PLANS FOR EXPANDING THEIR OWN RESEARCH CAPABILITY, AND SPOKE OF LOCATING A RESEARCH INSTITUTE IN TT AND AN INTEREST IN SCIENTIFIC ACCESS OFF THE SHORES OF OTHER NATIONS, NOTABLY BRAZIL. BALLAH REPEATEDLY

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REFERRED TO THE NEED FOR COASTAL STATE RIGHT OF CONSENT AS "NECESSARY TO REACH AGREEMENT," AND STATED THAT SOME COASTAL LDC'S WERE CURRENTLY TAKING A HARDER LINE ON THE RESEARCH ISSUE AS A RESULT OF THE ENERGY CRISIS, SEEING THIS AS A WAY TO PROTECT THE OIL RESERVES OFF THEIR COASTS. TT FAVORS COASTAL STATE RIGHT TO CONTROL PUBLICATION OF DATA COLLECTED IN THEIR ECONOMIC ZONE, FEELING THIS IS OF VALUE TO THEM. IN RESPONSE TO QUESTIONING, BALLAH STATED THAT THIS COULD PROBABLY BE LIMITED TO SEISMIC DATA, BUT THAT THE COASTAL STATE SHOULD NONETHELESS HAVE A RESIDUAL RIGHT OF CONSENT AND ULTIMATE CONTROL OVER PUBLICATION OF DATA. CONSIDERABLE TIME SPENT ON DISCUSSION OF COASTAL STATE "SELLING" RESEARCH DATA TO PROSPECTIVE MINERS. SUGGEST DEPARTMENT EXAMINE TT OIL AND GAS LEASING PRACTICES IN THIS CONNECTION.

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USUN NEW YORK 0260

C O N F I D E N T I A L SECTION 2 OF 2 SANTO DOMINGO 1616

F. DEEP SEABEDS: ALTHOUGH DISCUSSION OF THIS ISSUE NOT AS DETAILED AS ON OTHER SUBJECTS, GOTTS POSITION REMAINS ULTRA-LDC, ADVOCATING AN ENTERPRISE SYSTEM WHICH WOULD ENGAGE IN JOINT VENTURES WITH PRIVATE COMPANIES. BALLAH POINTEDLY ASKED IF US HAD A COPY OF THE "SRI LANKA DRAFT RULES AND REGS," AND STATED THAT IT WAS A "REAL ATTEMPT AT COMPROMISE" AND SHOULD NOT BE DISMISSED OUT-OF-HAND. WHILE OUR RESPONSE IN TT WAS EVASIVE, WE INTEND TO ANSWER AFFIRMATIVELY IF OTHERS INQUIRE WHETHER WE HAVE DRAFT. DEPARTMENT MAY WISH TO SEND GUIDANCE ON HANDLING OF ISSUE WITH ZEGERS IN CHILE.

3. COMMENT: DISCUSSIONS WITH THE GOTTS WERE CORDIAL AND FRANK AND FAR MORE MEANINGFUL THAN ANY CONDUCTED TO DATE WITH THEM. TEAM TAKES THIS AS ENCOURAGING SIGN THAT GOTTS, AT LEAST, IS PREPARED TO NEGOTIATE IN CARACAS. AT ONE POINT IN INFORMAL

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DISCUSSION, BALLAH STATED FLATLY "THERE WILL BE NO LDC/MARITIME NATION CONFRONTATION IN CARACAS." GOTTL OBVIOUSLY WANTS CONFERENCE TO SUCCEED, AND CAN BE EXPECTED TO BECOME MORE RESPONSIBLE IN ITS POSITIONS WHEREVER POLITICALLY POSSIBLE. ON FISHERIES QUESTION, GOTTL OBVIOUSLY GIVING THIS ISSUE CONSIDERABLE STUDY AND APPEARS CONCERNED ABOUT ULTIMATE OUTCOME. THEY WERE FAMILIAR WITH OUR PROPOSAL AND THOUGHT IT REASONABLE, BUT EXPRESSED INTENTION TO RELY ON REGIONAL PREFERENCE TO PROTECT THEIR INTEREST RATHER THAN GENERAL ACCESS PROVISIONS. THEY WERE INTERESTED IN POINTS WE MADE IN OUR FISHERIES DISCUSSION, AND THIS INTEREST COULD BE SOURCE OF CONTINUING FRUITFUL DIALOGUE. OVERALL, DISCUSSIONS WERE VERY USEFUL AND GOTTL WAS, WE BELIEVE, PLEASED THAT LOS TEAM HAD VISITED TT.

4. RECOMMENDATIONS: IN VIEW GOTTL'S INFLUENTIAL ROLE IN NEGOTIATIONS, TEAM BELIEVES FOLLOW UP VERY IMPORTANT IF CONSULTATIONS ARE TO BE USEFUL. TWO POINTS SHOW PROMISE. GOTTL'S CONCERN WITH PROBLEMS OF FISHERIES ACCESS, AND CONCEPT OF MANDATORY VESSEL LIABILITY INSURANCE AS MEANS OF SOLVING POLLUTION REGIME PROBLEMS. IN VIEW RECENT AGREEMENT WITH USG ON SECOND POINT, RECOMMEND DEPARTMENT FORWARD APPROPRIATE MATERIALS AND AUTHORIZE AMEMBASSY PORT OF SPAIN TO OPEN DISCUSSIONS WITH GOTTL ON ISSUE ASAP. US APPROACH SHOULD TAKE INTO CONSIDERATION GOTTL PROPOSALS IN SC III OF SB COMMITTEE. CONCERNING FISHERIES QUESTION, THERE MAY BE AN OPPORTUNITY TO LINE UP CARIBBEAN SHRIMPING NATIONS BEHIND CONCEPT OF FULL UTILIZATION, IF THEIR INTERESTS ARE ACCOMMODATED. TEAM RECEIVED CLEAR SIGNAL THAT GOTTL WOULD LIKE TO SEE OUR PRIORITIES OF ACCESS RESTRUCTURED TO PLACE STATES OF REGION AHEAD OF TRADITIONAL FISHERIES. A RESTRUCTURING SUCH AS THIS WOULD CAUSE PROBLEMS WITH USSR AND JAPAN, BUT IT MAY BE POSSIBLE TO ACCOMMODATE CARIBBEAN NATIONS' INTEREST PERHAPS ON CRITERIA SUCH AS ECONOMIC DEPENDENCE AND DISLOCATION WITHIN FRAMEWORK OF FULL UTILIZATION CONCEPT THAT ALSO ACCOMMODATES USSR AND JAPAN. SUGGEST DEPARTMENT CONSIDER FURTHER CONTACT WITH JAMAICA, GOTTL, AND POSSIBLY OTHER CARIBBEAN NATIONS ON THIS ISSUE.

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